Six observations:

One presume aff: A) affirming is harder because of the time-skewed AR, so if there is no offense and the round is in equilibrium the aff has compensated for disadvantages and done the better debating. B) Presuming impermissibility paralyzes action because agents would have to reflect on the moral qualities of the most trivial of actions. The only operable system of morality must hold that all actions are morally permissible until prohibited.

Two, skep is key framework ground since it both directly answers the resolutional question and is an enormous part of philosophical literature. Framework ground is key to education because philosophy is a type of knowledge unique to debate, and fairness is only instrumental to education since A) If we had a fair game but no education happened, then there would be no reason for it to exist. B) Fairness functions to provide a competitive incentive to learn more, which allows you to perform better in debate, and C) People create rules for debate to make the game more accessible for new debaters so they can get an educational benefit from the activity, but if I’m being educational that incentive is unnecessary.

Three, the neg must clarify theory violations in CX and give the aff the opportunity to adapt to prevent theory from being run as an abusive strategy and only in cases where actual abuse has skewed my opponents ability to win the round. If they don’t clarify in CX, there is no way to verify that the abuse was a necessary part of the debate round and that I should lose because of it.

Four, the majority of deadly responses to domestic violence occur in confrontational situations. Out of a sample of appellate opinions, and where confrontational situations entailed that the aggressor was awake; he behaved in a way that the victim interpreted as posing an imminent or immediate threat of death or serious injury to her; and there was evidence that she did not provoke his behavior by unlawful conduct and was not the initial aggressor, **Maguigan**[[1]](#footnote-1) found that: **Of** the **223 incidents** comprising the base, **75% involve confrontations.** Twenty percent are nonconfrontational cases (4% "con-tract killings,"64 8% sleeping-man cases, and 8% defendant as initial aggressor during a lull in the violence).65 In the remaining 5%, the appellate opinions did not include a discussion of the incident facts introduced at trial.66 As the breakdown indicates,the appellate opinions do not support the conclusion that **most battered women kill during** non**confrontational situations.**

Thus on balance deadly responses are in self-defense. Also, the most appropriate definition of deliberate is intentional, because on balance the resolution questions a deadly response in situations where slow, thoughtful premeditation isn’t possible. However, deliberate as premeditated isn’t exclusive with my interp because victims could always have premeditated at an earlier stage in life what they would do if they were subject to domestic violence in the future.

Five, **Raz**[[2]](#footnote-2) defines morally permissible as **“not the case that [one] ought to refrain from it”**.

Thus, the aff burden is to prove that a victim of domestic violence’s deadly response is not prohibited, and the negative’s burden is to prove the converse, namely a categorical prohibition.

Prefer this interp:

A) Due to the law of the excluded middle, either moral permissibility or impermissibility is true. Things can either be A or not A. Thus, disproving a prohibition on the resolutional action proves that the resolution is morally permissible, and, neg ground is to prove a prohibition.

B) Proving there is no moral prohibition is impossible since negative existentials can’t be proven true. It is unreasonable to force the aff to prove that there are no ethical theories that prohibit action because that requires the impossible burden of answering every possible ethical theory. Rather, the burden of proof is set on the claim-maker.

C) Morally permissible is the converse of the word “impermissible,” which is synonymous with prohibited, so my interp is most linguistically accurate.

D) If moral systems don’t assign a moral status to some actions they are an incomplete guide to action. Understanding permissibility and prohibition such that all actions are either permissible or prohibited evades this problem.

I value morality. Claims to external moral truths fail:

A) Value judgments are perspectival, rooted in bias and situation. I cannot reason to universal conclusions about other human beings because that would require me to reason from the perspective of humanity as a whole. However an impartial perspective is impossible because it demands that we think from an unthinkable gods-eye perspective. Thus, universal rules about action are senseless.

B) Even if objective norms exist, it is ultimately up to the ethical subject to determine whether to act on them. Only a subjective “I” can make a judgment about good or bad, so attempting to dissociate moral truth from its subjective origin fails.

C) Our experience of another person, no matter how well we know them, can’t be so complete as to have a logical right to a total evaluation of them, because we cannot *know* from their perspective, and thus cannot with complete certainty predict how they will evaluate a moral dilemma.

Unless an ethical theory can function in light of these epistemic constraints, skepticism is true and there is no prohibition on the resolutional action, meaning you affirm. However, an existentialist framework escapes skepticism because it doesn’t presuppose objective truths, impartial reasoning, or a static moral law.

The AC’s ethic recognizes the human person’s role as the creator, as well as the subject, of morality. Morality doesn’t require particular actions just that we subjectively consider moral problems and decide. An ethical act is one that is in accordance with an individual’s subjective valuation.

Responses to the standard must answer the independent warrants for the framework because a) the standard is just a linguistic placeholder for its warrants and the standard justifications contextualize the meaning of the criterion and b) general dumps are horrible for clash since they don’t engage my warrants.

Prefer this conception of ethics:

A) Objective moral norms deny the possibility that the subject can emerge on its own, and choose for itself since they demand that the subject act in a particular way. If morality can be fulfilled by following the law, then humanity is merely a cog in the clockwork, an incidental and unnecessary component in the ethical calculus. Only an ethic of absolute freedom respects human beings role as the source and creators of value.

B) If the good consists in the coincidence of the will with the moral law, the perfect subject would be an angel who is completely aligned with the law. To conform with the law the subject must alienate her will from itself; instead of the subject being the ‘hero’ of her act in realizing her will, the subject must act to realize the law. However, the only way for human beings to conform to the law is to suppress the free will and unique evaluative drive that make them ethical subjects in the first place.

C) Existentialism is the only non-regressive account of morality because it recognizes that things are morally good only because individual persons say that they are. Any account of morality that asserts that things are objectively valuable is regressive because it predicates one universal rule on the existence of another moral rule. Since every human chain of reasoning must be finite according to our finite nature, such a reasoning process must terminate in a rule for which no reason can be given.

D) Existentialism most easily accounts for the motivating role of moral commitment because if an individual expresses a positive moral attitude towards a goal then she definitionally values that goal and wills its completion. Ethical theories rooted in a universal law fail to account for individuals unique motives, and thus don’t provide the most compelling reason for individuals to act morally.

I contend that victims have a license to kill.

First, a victim’s violent response to their oppressor is constitutive of that individual’s subjectivity and is permissible because it is a creative act whereby the victim expresses their self-worth and freedom. The act by which the victim becomes defiant is the act whereby the first exist *for themselves.*

Second, even if there are compelling subjective *reasons* why I should respect the life of another, reasons aren’t normatively binding because the choice is still mine. It is empirically true that people can act against reasons.

Third, by acting in a way that doesn’t acknowledge the value of other people’s lives, the abuser concedes that life isn’t universally valuable, so it is permissible as per an intersubjective norm respecting life for the victim to kill.

Fourth, individuals cannot recognize the general norm that life is valuable because it is impossible to know the value systems of other individuals with certainty because a) other people’s thoughts are never completely accessible because I can’t predict shifts in their thought patterns with absolute accuracy and b) I can’t ask the seven billion people on earth about their beliefs so I can’t check in that way as well.

Fifth, In Morrison v. United States Justice Souter’s dissent established that 2-4000 women are killed each year from domestic violence, so the resolution involves confrontational situations of kill or be killed where the injunction to respect life doesn’t make sense, so at the least, in those situations it would be permissible to subjectively value one’s own life over another’s.

Sixth, death is not a morally undesirable event because it isn’t an event that you can experience at all. And, understanding death as deprivation is flawed because the subject of this deprivation ceases to be a subject by the operation of death itself- if you are, it is not; if it is, you are not. Thus, claiming that death is a morally bad event is nonsensical.

**AT-AC is a NIB**

Any arguments for why existentialism demands respect for life turn the AC. Hochberg has an article with three turns, Camus turns the AC, and Sartre has an article literally called “Existentialism is a Humanism.” They’re complaining because they weren’t creative enough to make them. So some I meets:

1. They could have said that death objectively unifies all men and so furnishes an absolute source of value from which we derive the principle “do not kill.”
2. They could have said that in rejecting all transcendent values, man subjectively recognizes that this life is all we have, and thus recognizes life’s absolute value. Man recognizes that opposition to death is a general value.
3. They could have claimed that in discovering one’s own subjectivity, one discovers others too. Since man cannot be anything unless others recognize him as such, he absolutely owes them his life and value, and must not kill them. In this vein, Levinasian arguments about how subjectivity is dependent on the Other would be great turns to the AC.
4. They could have said that the human condition is that we all transgress and hurt others, in light of our fallibility. We cannot kill others because it silences their ability to make reparations, and paradoxically denies shared human nature with them.
5. Antifoundationalist arguments in the style of Rorty and Trifiro suggest that we can intersubjectively create norms like death is bad, so the neg can turn the AC if they prove individuals *do* intersubjectively create norms against death, or subjectively accept universal rights to life. Democracy-rule arguments turn the aff.
6. The AC probably justifies discursively bad things because it says we can’t condemn any action a person takes, so they could turn it in that way too.

1. Maguigan, Holly (Associate Professor of Clinical Law, NYU) “Battered Women and Self-Defense: Myths and Misconceptions in Current Reform Proposals.” UPenn Law Review, Vol. 140, No. 2 (Dec., 1991) pp. 379-486. [↑](#footnote-ref-1)
2. Joseph Raz. Permissions and Supererogation. American Philosophical Quarterly, Vol. 12, No. 2 (Apr., 1975) pp. 161-168 [↑](#footnote-ref-2)